UNITED
NATIONS

E

Economic and Social
Council

Distr.
GENERAL

E/CN.4/Sub.2/1996/36
16 August 1996

Original: ENGLISH*

COMMISSION ON HUMAN RIGHTS
Sub-Commission on Prevention of
Discrimination and Protection
of Minorities
Forty-eighth session
Item 17 of the provisional agenda

PROTECTION OF MINORITIES

Note verbale dated 14 August 1996 from the Permanent Mission of the former Yugoslav Republic of Macedonia to the United Nations Office at Geneva addressed to the Sub-Commission on Prevention of Discrimination and Protection of Minorities

The Permanent Mission of the former Yugoslav Republic of Macedonia to the United Nations Office and other International Organizations in Switzerland presents its compliments to the Sub-Commission on Prevention of Discrimination and Protection of Minorities of the United Nations Commission on Human Rights and would like to ask that the enclosed documents be brought to the attention of the members of the Sub-Commission during its forty-eighth session.

The annexed documents have the titles:

- Realization of the right of persons belonging to national minorities to education in mother tongue in the Republic of Macedonia, and

- Contribution by the Delegation of the Republic of Macedonia.

Both documents are related to item 17 of the agenda.

---

* The annexes are reproduced in the language of submission only.

ANNEX: I

# REPUBLIC OF MACEDONIA

## CONTRIBUTION
## BY THE DELEGATION
## OF THE REPUBLIC OF MACEDONIA

**COMMISSION ON HUMAN RIGHTS**
SUB-COMMISSION ON PREVENTION OF DISCRIMINATION
AND PROTECTION OF MINORITIES
FORTY-EIGHTH SESSION

**ITEM 17: PROTECTION OF MINORITIES**

**GENEVA, AUGUST 1996**

Besides the improvement of legal framework, the Government is creating and implementing a policy of affirmative action in order that the foreseen legal solutions could be fully realized and that the integration of persons belonging to national minorities in all spheres of life could be enhanced. Positive results in the field of education and state administration should be especially emphasized.

Bearing this in mind, we consider that the international community should develop a more detailed and comparative approach towards monitoring of different situations of minority rights in various countries in the region, with a clear need to promote effective guarantees and control. This is exactly the aim of our initiative for the preparation of the comparative study on the position of national minorities in the Balkans. Stressing the necessity for elaboration of such a project, for some time now we have been rising this initiative. Madame Elisabeth Rehn, Special Rapporteur of the UN Human Rights Commission, on several occasions has welcomed and encouraged the preparation of the proposed comparative study. Also, this initiative was positively appreciated by Mr. Max van der Stoel, OSCE High Commissioner for National Minorities.

The comparative study on the position of national minorities in the Balkans shall be an exceptionally useful starting point for a dialog and it would enable Balkan countries to cooperate in this field, with the purpose of promoting mutual understanding and confidence in order to preserve the stability in the whole region. Therefore, we still expect full support from all countries in the region. We are aware that this is not going to be an easy task in light of the fact that there is a wide range of different attitudes with regard to the status of minorities varying from their non-recognition to a high level in the enjoyment of minority rights. Having in view such premises it is indispensable to acquire a clear picture of the entire region as a basis for realistic assessment and action. Furthermore, we are convinced that the best way of promoting the position of persons belonging to national minorities is to accept to apply the European and international standards.

Generally, the respect of minority rights is of crucial importance for the long standing stability and peace not only in the Republic of Macedonia, but in the entire Balkan region, where there is no country where national minorities do not exist. Their presence enriches our societies and constitutes a foundation and a bridge for building friendly and good neighborly relations in the region. Let us emphasize the importance of the Sub-Commission and its Working Group on Minorities which significant contributions are indeed encouraging for all those who attempt to find the real ways towards promotion and protection of minority rights. In that sense, we hope that the experts of the Sub-Commission on Prevention of Discrimination and Protection of Minorities, in the working scope of which the preparation of various studies of this kind is included, will find this proposal as an inspiration and genuine challenge.

The Republic of Macedonia highly appreciates and supports the efforts of the international community to promote and protect minority rights, as one of the essential accomplishments of democracy and a fundamental concept of the modern world in its endeavors for development of the human dimension project.

We are dedicated to continuous and elaborated care for protection of human rights, including rights of persons belonging to national minorities, aiming that one day this conceived project for respect of individuality and diversity of each human being will become a reality throughout the world. However, parallel to the universal character of this project, the issue for its realization on a state level remains open. Given our experience, an essential precondition is compatibility with the neighboring countries in the region.

In that context, we believe that our achievements in the field of promotion of minority rights are not unknown within the UN framework, as well as our proposal for preparation of a comparative study on the position of national minorities in the Balkans. We have already presented it at this year`s session of the UN Human Rights Commission and the Working Group on Minorities, hoping the ways for its realization to be founded.

We would like briefly to address minority rights situation in the Republic of Macedonia.

It is our pleasure to point out that the accomplishments of the Republic of Macedonia in the field of protection and promotion of minority rights belongs to higher levels of the European human dimension project. In that context it should be emphasized that commitment of the Government in this field is not an acquisition of the period of transition. On the contrary, in our country there is a many decade old tradition of enjoyment of the significant corps of minority rights. The model established for the protection of minority rights is grounded on deeply rooted feeling for mutual understanding and tolerance which is part of the psychological attitude of our people, as well as on standards of international law and practice in this sphere.

Protection of the minority rights in the Republic of Macedonia is regulated by clear and comprehensive legal framework. A special treatment of minorities is provided for at the constitutional level at the same time all minorities in the Republic of Macedonia having equal treatment and enjoying the same rights. Constitutional provisions devoted to protection of minority rights facilitate further legal elaboration. It must be reiterated that the standards incorporated in our legislation fully complain with international standards, whereas in certain spheres (particularly education and local self-government) they go beyond them. Such standards are not provided in any of the neighboring state and even more they are higher in comparison to some other European countries that have much longer democratic tradition.

ANNEX: II

# Realization of the right of persons belonging to national minorities to education in mother tongue in the Republic of Macedonia

The Government of the Republic of Macedonia highly respects the strivings of the international community for full respect of minority rights, as one of basic indicators on the degree of democratic development and internal stability of states. In this respect, the impact of international subjects on the process of promotion and protection of minority rights in general, as well as in certain states may be respected only if based on objective perceptions of the application of international standards with regard to minority rights in every specific state.

In that context, we would like to point to several relevant facts about the degree of realization of minority rights in the Republic of Macedonia, with an accent on education of minorities in mother tongue.

1. **POLICY TOWARDS MINORITIES:** One of fundamental strategic commitments and objectives of the Government of the Republic of Macedonia is promotion of inter-ethnic relations; in that context special attention is devoted to actual realization of guaranteed minority rights. At that, it must be pointed out that this commitment of the Government is not an acquisition of the period of transition. On the contrary, **in the Republic of Macedonia there is a many decade old tradition of enjoyment of the significant corps of minority rights. The model established for protection of minority rights is grounded on deeply rooted feeling for mutual understanding and tolerance in the history of collective recollection of our people, as well as on standards of international law and practice in this sphere.** It is this reality that constitutes a positive determining factor for the internal stability of the Republic of Macedonia.

Although aware that where human rights are concerned there is always room to do more and better, it is our pleasure to point out that the accomplishments of the Republic of Macedonia in the field of protection and promotion of human rights, particularly of minority rights, belongs to higher levels of the European human dimension project.

**2. LEGAL FRAMEWORK**: Protection of minority rights in the Republic of Macedonia is regulated by clear and comprehensive legal framework. **A special treatment of minorities is provided for at the constitutional level at the same time all minorities in the Republic of Macedonia having equal treatment and enjoying the same rights. The realization of the guaranteed rights is provided with no discrimination, whatsoever. Accordingly, there is no legal ground that would permit majorization of a certain minority vis-à-vis other minorities, irrespective of the percentage they have in the total population.** Constitutional provisions devoted to protection of minority rights facilitate further legal elaboration. In this context, **it must be reiterated that the standards incorporated in our domestic legislation fully comply with international standards[1], whereas in certain spheres (particularly education and local self-government) they go beyond them.**

**3. RIGHT TO EDUCATION:** Starting from the fact that education of minorities in their mother tongue is of specific significance for protection and fostering of national identity, **the Government of the Republic of Macedonia provides complete pre school, elementary and secondary education in mother tongue of minorities.**

**3.1 Secondary Education :** Although secondary education is not compulsory, that is to say pupils may decide on their will whether to continue to go to school having completed elementary education, the Government of the Republic of Macedonia undertakes a series of steps as to provide an increase in the coverage of pupils of minorities in secondary education, with the aim of improving more the educational level of the minorities.

- Conditions and criteria for enrollment are identical for all candidates. Entrance examinations are taken in the language of instruction for which the candidate applies.

- There is a resolution of the Government which provides for the establishment of new classes in languages of national minorities in all the cases in which pupils show a desire to continue secondary education.

- There is an increased number of secondary education centers in which languages of national minorities are used for instruction.

- Continual improvement of quality of education, by way of preparing new curricula.

These measures have significantly increased the coverage of pupils of national minorities in secondary education. At that, it is especially important that

---

[1] International Covenant for Civil and Political Rights, The Framework Convention for the Protection of National Minorities, The European Charter for Regional or Minority Languages, The Declaration for the Rights of Persons belonging to National or Ethnic, Religious and Linguistic Minorities and the Copenhagen CSCE Document.

among the Albanian nationality, in the last few years, the number of pupils in secondary education has increased for around 100%. Nevertheless, the coverage still does not correspond to the percentage of pupils of national minorities that have completed elementary education. As a result, the Government creates continual measures for improvement of the situation. This problem is only present among the Albanian minority, while among the remaining minorities the coverage of pupils in secondary education is traditionally complete. This situation is caused by:

- social structure according to which persons belong to minorities, and particularly to the Albanian minority are mainly rural population that regretfully, despite all affirmative measures undertaken by the Government, traditionally show no interest in continuing school having completed elementary education.

- noticeable absence of female population in the overall number of pupils of national minorities that go to secondary education. This is a traditional characteristic of the rural Albanian population.

Insufficient coverage of pupils of some of the minorities in secondary education has subsequent negative effects on the percentage of students of these minorities in universities in Skopje and Bitola.

**3.2 Higher Education :** In order to meet education needs of minorities, besides secondary education, **the Government creates and implements the constructive policy of affirmative action, particularly in the sphere of higher education.** The Government's program is carried out along several lines:

- First, in order to meet the needs for adequate and high-quality teaching staff for elementary and secondary education in minority languages, the Government adopted a resolution by which Pedagogical faculties in Skopje and Bitola, in addition to the Macedonian language, organize studies in languages of minorities.

- Second, with the introduction of quota system the number of students enrolled in Skopje and Bitola Universities is being significantly increased on a yearly basis. This year there has been introduced the quota system which corresponds to the percentage of minorities in the total population.[2] As a result, the number of students of minorities is expected to be further increased. Furthermore, there are the Albanian Language and Literature Department and the Turkish Language and Literature Department in the framework of the Philological Faculty of Skopje University. At the Drama Faculty, staff necessary for theaters of national minorities attend professional courses in Albanian and Turkish.

---

[2] According to the latest census held in 1994, internationally monitored and organized with the expert assistance of the Council of Europe, besides the majority Macedonian population (66.5%), the following minorities live in the Republic of Macedonia: 22.9% Albanian, 4.0% Turks, 2.3% Roma, 2.0 Serbs and 0.8% Vlache

- Third, special attention is being paid to the quality of education in languages of national minorities. For that purpose, new curricula are being elaborated for subjects important for fostering cultural and national identity of minorities.

- Fourth, several times the Republic of Macedonia initiated the signing of an Agreement between the Republic of Macedonia and the Republic of Albania on Validation of University Diplomas.

Although, all the measures that the Government undertakes in this area, indicate continual positive changes, particular Albanian political subjects initiate establishing of educational institutions outside the institutional frameworks of the educational system. Such initiatives are illegal, since they are not in accordance with the positive legal norms. In that regard, it should be stressed that **the right to education of minorities in their mother tongue, pursuant to international norms, is exercised within the foreseen legal framework and institutions of the system, while respecting the principle of the rule of law is a basic precondition for democracy in all states.**

Furthermore, we would like to stress that the illegal character of this initiative was confirmed by the OSCE High Commissioner for National Minorities, as well as by Council of Europe experts. In that direction, the danger of a radical political background of this illegal initiative, was recently stressed by Mr. Maks van der Stoel during his last visit to the Republic of Macedonia. According to him, "the initiative surpassed itself, i.e. surpassed the alleged educational motivation".

**4. COMPARISON TO INTERNATIONAL STANDARDS: In this context, it must be first pointed out that such high education standards go beyond minimum standards foreseen by relevant international instruments in this sphere. Furthermore, such a level of educational standards is not provided in any of the neighboring states, for any of the minorities, including the Macedonian national minority.** Therefore, the Government of the Republic of Macedonia, hopes that in the process of democratization, the Government of the Republic of Albania in the sphere of education of minorities in mother tongue will soon accept and implement the international standards and will place more attention on the advancement of pursuing minority rights in the Republic of Albania.

**5. TRANSPARENCY OF THE PROCESS:** The advancement of the legal framework, its implementation, as well as creation and application of measures of affirmative action are a fully transparent process. In this process, the Republic of Macedonia cooperates actively with Mr. Maks van der Stoel, OSCE High Commissioner for National Minorities, as well as with Council of Europe and UN experts. At that, the international factors share the satisfaction with the

preparedness of the Republic of Macedonia to cooperate most openly with them in the process of promotion of enjoyment of minority rights. They also share the opinion that legislative and administrative measures undertaken by the Republic of Macedonia in this sphere not only correspond to international norms and practice but go beyond them in certain areas.

## 6. CONCLUSION:

**Generally, the respect of rights of persons belonging to national minorities is of crucial importance for the stability and peace not only in the Republic of Macedonia but in the entire Balkan region, where there is no country without national minorities.** We are convinced that their existence enriches our societies and constitutes a foundation and bridge for building friendly and good-neighborly relations and for creating constructive cooperation among the states in the region.

**Accordingly, we consider that the international community should develop a more detailed and comparative approach in monitoring different situations of realization of minority rights in the countries of the region, with a clear need to promote more effective guarantees and control.** This is exactly the aim of the initiative of Mr. Kiro Gligorov, President of the Republic of Macedonia, for elaboration of a comparative study on the position of national minorities in the Balkans. This initiative was positively appreciated by Mr. Maks van der Stoel, OSCE High Commissioner for National Minorities and by Mrs. Elizabeth Rehn, Special Rapporteur of the Commission for Human Rights.

We hope that the presented facts will make positive contribution to acquisition of a realistic picture of the basic commitments of the Republic of Macedonia in the process of promotion of inter-ethnic relations, as a fundamental value of peace and stability in the Republic of Macedonia and wider.